

REFERENCE TITLE: homeowners' associations; military flags

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

## **SB 1055**

Introduced by  
Senators Gray: Martin

AN ACT

AMENDING SECTIONS 33-1261 AND 33-1808, ARIZONA REVISED STATUTES; RELATING TO  
CONDOMINIUMS AND PLANNED COMMUNITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 33-1261, Arizona Revised Statutes, is amended to  
3 read:

4 33-1261. American and military flag display; applicability

5 A. Notwithstanding any provision in the condominium documents, an  
6 association shall not prohibit the outdoor display of the American flag **OR AN**  
7 **OFFICIAL FLAG OF THE UNITED STATES ARMY, NAVY, AIR FORCE, MARINE CORPS OR**  
8 **COAST GUARD** by a unit owner on that unit owner's property if the American  
9 flag **OR MILITARY FLAG** is displayed in a manner consistent with the federal  
10 flag code (P.L. 94-344; 90 Stat. 810; 4 United States Code sections 4 through  
11 10). The association shall adopt reasonable rules and regulations regarding  
12 the placement and manner of display of the American flag **OR THE MILITARY**  
13 **FLAG**. The association rules may regulate the location and size of flagpoles  
14 but shall not prohibit the installation of a flagpole.

15 B. This section does not apply to timeshare plans or associations that  
16 are subject to chapter 20 of this title.

17 Sec. 2. Section 33-1808, Arizona Revised Statutes, is amended to read:

18 33-1808. American and military flag display; political signs

19 Notwithstanding any provision in the community documents, an  
20 association shall not prohibit any of the following:

21 1. The outdoor display of the American flag **OR AN OFFICIAL FLAG OF THE**  
22 **UNITED STATES ARMY, NAVY, AIR FORCE, MARINE CORPS OR COAST GUARD** by an  
23 association member on that member's property if the American flag **OR MILITARY**  
24 **FLAG** is displayed in a manner consistent with the federal flag code (P.L.  
25 94-344; 90 Stat. 810; 4 United States Code sections 4 through 10). The  
26 association shall adopt reasonable rules and regulations regarding the  
27 placement and manner of display of the American flag **OR THE MILITARY**  
28 **FLAG**. The association rules may regulate the location and size of flagpoles but  
29 shall not prohibit the installation of a flagpole.

30 2. The indoor or outdoor display of a political sign by an association  
31 member on that member's property, except that an association may prohibit the  
32 display of political signs earlier than forty-five days before the day of an  
33 election and later than seven days after an election day. An association may  
34 regulate the size and number of political signs that may be placed on a  
35 member's property if the association's regulation is no more restrictive than  
36 any applicable city, town or county ordinance that regulates the size and  
37 number of political signs on residential property. If the city, town or  
38 county in which the property is located does not regulate the size and number  
39 of political signs on residential property, the association shall permit at  
40 least one political sign with the maximum dimensions of twenty-four inches by  
41 twenty-four inches on a member's property. For the purposes of this  
42 paragraph, "political sign" means a sign that attempts to influence the  
43 outcome of an election, including supporting or opposing the recall of a  
44 public officer or supporting or opposing the circulation of a petition for a  
45 ballot measure, question or proposition or the recall of a public officer.